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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,238	10/21/2004	Ana Chudzinski-Tavassi	4705-0105PUS1	5260

2292 7590 12/04/2008
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

ALLEN, MARIANNE P

ART UNIT	PAPER NUMBER
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1647

NOTIFICATION DATE	DELIVERY MODE
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12/04/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10501238	10/21/2004	CHUDZINSKI-TAVASSI ET AL.	4705-0105PUS1

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20081125

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Commissioner for Patents

The reply filed on 9/2/08 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The response filed 2/28/08 cancelled claims 1-19 and added new claims 20-23. Applicant was advised in the communication mailed 7/30/08 that the new claims were directed to a non-elected invention. However, applicant's present response provides an improper set of claims. Claims 16-19 have been reintroduced and new claims 20-26 have been added. Instant claims 20-23 do not correspond to the previously submitted claims 20-23. This is improper. It appears that applicant should have cancelled claims 20-23 as submitted on 2/28/08 and added all of the present claims with the numbering beginning at claim 24. Applicant is advised that the claims of the 9/2/08 response have not been entered because this claim set is improper and that the status of the claims is presently claims 1-19 cancelled and claims 20-23 (as submitted on 2/28/08) pending. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

/Marianne P. Allen/
Primary Examiner, Art Unit 1647